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DEPARTMENT OF STATE.

NEGOTIATION OF TRADE AGREEMENT WITH TURKEY CONTEMPLATED

NOVEMBER 3, 1937.

Pursuant to section 4 of an act of Congress approved June 12, 1934, entitled "An Act to Amend the Tariff Act of 1930", as extended by Public Resolution 10, approved March 1, 1937, and Executive Order No. 6750 of June 27, 1934, the Acting Secretary of State announced today that this Government contemplates the negotiation of a trade agreement with Turkey, and invited interested persons to submit suggestions as to the products that should be considered.

This preliminary announcement, which is made with a view to obtaining suggestions from interested persons in the early stages of the discussions, should not be confused with the formal notice of intention to negotiate regularly given. The formal notice will be issued at a later date, after receipt of the proposals of the Government of Turkey, at which time there will also be made public a list of products on which the United States will consider granting concessions to Turkey.

The object of this preliminary announcement is to provide notification at the earliest possible date that negotiations are contemplated, in order that interested parties may have an opportunity to suggest the import or export products which, in their opinion, should be included in the negotiations. Such suggestions, particularly those in regard to export products, are most useful to the trade-agreements organization if available at an early stage. Full information should be submitted as soon as possible. Exact technical descriptions of the products in question should be given, including, so far as possible, their nomenclature in the tariff laws of the importing country. These suggestions may be submitted in any form, and need not be under oath. They should be addressed to the Chairman of the Committee for Reciprocity Information, 7th and F Streets NW, Washington, D. C., and should reach the Committee not later than December 3, 1937.

Suggestions received by the Committee for Reciprocity Information will be distributed promptly to all agencies of the trade-agreements organization for use in the preparation of lists of commodities that may be involved in the negotiations. The list of commodities upon which the United States will consider the granting of concessions to Turkey will be published along with the formal notice of intention to negotiate. The formal notice, as heretofore, will indicate dates for the submission of briefs and applications for oral hearings, and the dates on which the customary open hearings will be held. The listing of products will indicate to American producers and importers whether or not particular tariff rates in which they are interested are under consideration. They will thus be saved the trouble of preparing briefs on products of interest to them but which are not expected to be involved in the negotiations.

A detailed compilation showing the principal products involved in the 1929 and 1936 trade between Turkey and the United States, prepared in the Bureau of Foreign and Dom-

estic Commerce of the Department of Commerce, may be obtained from that Bureau or from any of the District Offices of the Department of Commerce, as well as from the Committee for Reciprocity Information or the Department of State.

SUMNER WELLES,
Acting Secretary of State.

[F. R. Doc. 37-3226; Filed, November 3, 1937; 3:42 p. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

SR—B-101, Kemper County, Mississippi

Amendment 3

1937 AGRICULTURAL CONSERVATION PROGRAM

SOUTHERN REGION BULLETIN 101, KEMPER COUNTY, MISSISSIPPI

Amendment 3

Pursuant to the authority vested in the Secretary of Agriculture under section 8 of the Soil Conservation and Domestic Allotment Act, as amended, Southern Region Bulletin 101, Kemper County, Mississippi, as amended,¹ is hereby further amended as follows:

I

Subsection (e), section 15, Division of Class I Payment Where Diversion Was Not Made Ratably, is amended to read as follows:

(e) *Division of class I payment.*—On farms where there are two or more producers, that portion of the class I payment which is to be divided among producers on the crop-share basis shall be divided among the producers entitled to share in the soil-depleting crop(s) in such base in the proportion that the acreage share of each such producer bears to the total acreage on the farm devoted in 1937 to such crop(s) except that if no acreage was devoted to the crop(s) in one or more soil-depleting bases in 1937, or if the County Committee finds that diversion was not made ratably by all producers on the farm, the portion of such payment to be made to any producer with respect to each soil-depleting base shall be

(1) in the proportion that his contribution to the difference between the respective soil-depleting base and the 1937 acreage of the crop(s) in such base bears to the total difference between such base and the 1937 acreage of the crop(s) in such base; or

(2) in the proportion that his acreage share of the respective soil-depleting base bears to such base for the farm.

In cases where the farm is composed of only one producer unit and no acreage on the farm is devoted in 1937 to the

¹ 2 F. R. 649, 1433, 1434 (DI).



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crop(s) in one or more soil-depleting bases established for such farm, the contribution of each producer in accordance with the provisions of either paragraph (1) or paragraph (2) of this subsection (e) may be determined by agreement of all producers on the farm provided there is attached to the application for payment a statement signed by each producer on the farm that the contribution of each interested person with respect to each soil-depleting base in connection with which a payment is made is in the same proportion that

such person would have shared in that soil-depleting crop (or the proceeds thereof) under the lease or operating agreement.

In cases where the farm is composed of only one producer unit and no acreage on the farm was devoted in 1937 to the crop(s) in one or more soil-depleting bases established for such farm and the contribution of each interested person with respect to any soil-depleting base in connection with which a payment is made is *not* in the same proportion that such person would have shared in that soil-depleting crop (or the proceeds thereof) under the lease or operating agreement, and in cases where the farm to be covered by an application for payment is composed of more than one producer unit and either no acreage on the farm was devoted in 1937 to the crop(s) in one or more soil-depleting bases established for such farm or the County Committee finds that diversion was not made ratably, the contribution of each such producer may, subject to the approval of the Administrative Officer in Charge or the Acting Administrative Officer in Charge in the State Office acting with the advice and consent of the State Committee, be determined in accordance with the provisions of either paragraph (1) or paragraph (2) of this subsection (e) by agreement of all producers on the farm signified in the presence of at least two members of the County Committee, provided such agreement is found by the County Committee to be equitable to all concerned. In any such case there shall be submitted to the State Office, at the time of submission of the application for payment with respect to the farm, a certification signed by each producer in the presence of and approved by at least two members of the County Committee stating that the agreement has been reached voluntarily in accordance with the foregoing provisions.

In cases where the contribution of each producer is to be determined in accordance with the provisions of either paragraph (1) or paragraph (2) of this subsection (e) and agreement of all producers is not obtained as outlined above, the County Committee may recommend, subject to the approval of the Administrative Officer in Charge in the State Office, acting with the advice and consent of the State Committee, and the approval of the Director of the Southern Division, its determination of the contribution of each producer, such recommendation to set forth fully the facts upon which such recommendation is based.

II

The last sentence of subsection (f) of section 15, which reads as follows: "In case of the death or incompetency of a producer occurring during the period of performance under the 1937 program, class I and class II payments shall be made or withheld in accordance with rules to be prescribed by the Secretary.", is deleted.

III

Subsection (g), section 15, Lease or Operating Agreement Expiring During Growing Season, is amended to read as follows:

(g) *Lease or operating agreement expiring during 1937.*—If control of a farm is lost through the expiration of a lease or operating agreement during 1937 the incoming producer shall not be shown as having an interest in the class I payment with respect to any soil-depleting crop which is harvested, or which under normal conditions would be ready for harvest, prior to the termination of the lease or operating agreement; except that if the County Committee finds that both the outgoing producer and the incoming producer have contributed to performance in 1937 with respect to the crop(s) in that soil-depleting base and such producers have agreed upon a division between them of the acreage of such crop(s) the acreage shall be divided according to their agreement (indicated by their signatures on the application for payment), or, if they are unable to agree, the County Committee shall recommend, subject to the approval of the Administrative Officer in Charge in the State, acting with the advice and consent of the State Committee, and the approval of the Director of the Southern Division, the division of such acreage between such persons on the basis found by it to be

most equitable having due regard to the measure of performance contributed by each producer, and shall support its recommendation by a letter setting forth fully the facts in the case.

IV

Subsection (c) of section 62 is amended to read as follows:

(c) If two or more tracts of land in the same county are under different ownerships, even though they are operated by the same person, each such separately owned tract shall be covered by a separate work sheet. In case an operator rents from the same person a part of a tract of land on shares and the remainder of such tract for cash or a fixed commodity payment, or in case a person rents a part of a tract of land to one or more tenants on shares, and a part of the same tract of land to the same tenant(s) for cash or a fixed commodity payment, all such land may be covered by one work sheet.

Done at Washington, D. C., this 4th day of November 1937. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 37-3230; Filed, November 4, 1937; 12:41 p. m.]

FEDERAL POWER COMMISSION.

Commissioners: Clyde L. Seavey, Acting Chairman; Claude L. Draper, Basil Manly, John W. Scott.

[Project No. 5]

APPLICATION OF THE MONTANA POWER COMPANY AND ROCKY MOUNTAIN POWER COMPANY FOR TRANSFER OF LICENSE

NOTICE OF HEARING

Upon joint application filed July 21, 1937, by The Montana Power Company, 40 East Broadway, Butte, Montana, and Rocky Mountain Power Company, licensee under license for Project No. 5, requesting approval of transfer of said license to said The Montana Power Company:

It is ordered: That a hearing be held upon said application on December 2, 1937, at 10 a. m. in the Commission's hearing room, 1800 Pennsylvania Avenue, N. W., Washington, D. C.

Adopted by the Commission on November 2, 1937.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 37-3228; Filed, November 4, 1937; 9:39 a. m.]

Commissioners: Clyde L. Seavey, Acting Chairman; Claude L. Draper, Basil Manly, John Scott.

[Docket No. IT-5492]

APPLICATION OF MOUNTAIN STATES POWER COMPANY

ORDER SETTING HEARING

Upon application filed October 29, 1937, by Mountain States Power Company, a corporation organized under the laws of the State of Delaware, and having its principal business office at 236 Lyon Street, Albany, Oregon, for authorization of the issuance of \$8,000,000 principal amount of that company's first mortgage bonds, 6% series due 1942, \$700,000 principal amount of serial notes and 69,160 shares, without par value, of \$6 cumulative prior preference stock:

The Commission orders: That a hearing on said application be held on December 1, 1937, at 10 a. m. in the Commission's hearing room in the Hurley-Wright Building, 1800 Pennsylvania Avenue, N. W., Washington, D. C.

Adopted by the Commission on November 2, 1937.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 37-3227; Filed, November 4, 1937; 9:39 a. m.]

FEDERAL TRADE COMMISSION.

United States of America—Before Federal Trade
Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 3rd day of November, A. D. 1937.

Commissioners: W. A. Ayres, Chairman; Garland S. Ferguson, Jr.; Charles H. March, Ewin L. Davis, Robert E. Freer.

[Docket No. 3224]

IN THE MATTER OF E. B. MULLER AND COMPANY, A CORPORATION,
AND HEINR. FRANCK SONS, INC., A CORPORATION

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR
TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered, That John J. Keenan, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, November 12, 1937, at ten o'clock in the forenoon of that day (eastern standard time), in room 338, Hotel Victoria, Seventh Avenue at Fifty-First Street, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report.

By the Commission.

[SEAL]

OTIS B. JOHNSON, Secretary.

[F. R. Doc. 37-3225; Filed, November 3, 1937; 2:58 p. m.]

INTERSTATE COMMERCE COMMISSION.

[Ex parte No. MC 7]

WASHINGTON, D. C., COMMERCIAL ZONE

Submitted April 25, 1937

Decided October 26, 1937

Zone adjacent to and commercially a part of Washington, D. C., and contiguous municipalities in which transportation by motor vehicle in interstate or foreign commerce, not under a common control, management, or arrangement for a continuous carriage or shipment to or from a point beyond the zone, is partially exempt from regulation under section 203 (b) (8) of the Motor Carrier Act, 1935, determined.

William C. Seibert for State Corporation Commission of Virginia.

W. C. Woodward, M. Ward Guthrie, Charles G. Morgan, Jr., Wilton H. Wallace, Ralph S. Fowler, Frederick M. Bradley, and Wm. E. Humphries for motor carriers of property.

Sydney R. Prince, Jr., Edward S. Pardoe, and G. Thomas Dunlop for motor carriers of passengers.

Francis J. Kelly and James E. Black for shippers.

A. J. Dixon, W. N. McGehee, and A. R. Eldred for rail carriers.

REPORT OF THE COMMISSION

Division 5, Commissioners Eastman, Lee, and Rogers

By Division 5:

Exceptions were filed by District of Columbia Trucking Association, Inc., to the order recommended by the examiner, and Capital Transit Company replied thereto. Our conclusions differ in some respects from those recommended by the examiner.

This is an investigation instituted on our own motion to determine and define the zone adjacent to and commercially a part of the municipality of Washington, D. C., and of any municipality or municipalities contiguous thereto. Such determination and definition are necessary for the purpose

of applying the exemption provided in section 203 (b) (8) of the Motor Carrier Act, 1935.¹

Witnesses testified on behalf of District of Columbia Trucking Association, Inc., Capital Transit Company, and various shippers. The zone adjacent to and commercially a part of Washington and contiguous municipalities will be referred to as the commercial zone.

The District of Columbia, originally ten miles square, was ceded to the Federal Government by Maryland and Virginia. Later that part of the District of Columbia south and west of the Potomac River, now Arlington County and Alexandria, Va., was retroceded to Virginia. The present area of the District of Columbia is approximately 62 square miles and its population in 1930 was 486,869. Since February 1895, the City of Washington has been coextensive with the District of Columbia.

Municipalities in Maryland contiguous to Washington are Boulevard Heights, Fairmount Heights, Capitol Heights, Cottage City, Mount Rainier, and Takoma Park, Md. There are no municipalities in Virginia contiguous to Washington within the meaning of section 203 (b) (8). Alexandria is opposite the southern part of Washington but the two cities are not contiguous under section 203 (b) (8), as there are no means of communication between the cities by motor vehicle except through unincorporated areas.

Since there are few industries in Washington and contiguous municipalities, the population of Washington has grown with the increase of employment by the Federal Government. As of July 30, 1936, there were 117,103 employees of the Federal Government in Washington. Employees of the District of Columbia Government number 12,930, and there are approximately 182,000 engaged in the professions and trades or employed by stores, hotels, and others. As the population of Washington increased, suburban residential communities grew up beyond the boundaries of the District of Columbia. The more intense suburban development in Maryland extends at least two miles beyond the District of Columbia line to the northwest and northeast. In Virginia, suburban communities have grown up in Arlington County.

The Metropolitan District of Washington designated by the United States Bureau of the Census includes the District of Columbia and the following areas in Maryland and Virginia:

In Montgomery County, Md.: District 4, Rockville; District 7, Bethesda; District 10, Potomac; District 13, Wheaton.

In Prince Georges County, Md.: District 1, Vansville; District 2, Bladensburg; District 6, Spaulding; District 12, Oxen Hill; District 13, Kent; District 14, Bowie; District 16, Hyattsville; District 17, Chillum; District 18, Seat Pleasant; District 19, Riverdale; District 20, Lanham; District 21, Berwyn.

Alexandria, Va.

Arlington County, Va.

In Fairfax County, Va.: Falls Church; Providence District. The land area of the Metropolitan District is 485 square miles.

A witness for the Washington Board of Trade testified that in his opinion the commercial zone of Washington lies within a radius of 20 to 25 miles from the Zero Milestone at the center of the original area of the District of Columbia. Gaithersburg, Olney, Laurel, Bowie, and Marlboro, Md., and

Dranesville and Fairfax, Va., are within that area. Commodities transported by motor vehicle from Washington to points within 20 miles consist mainly of dry goods, household goods, food products, and building materials. In the reverse direction, the commodities transported consist mainly of farm and dairy products and small manufactured articles.

A number of residents of Maryland and Virginia are employed in Washington and travel daily between their homes and places of employment. Commutation service by motor vehicle is provided by the Capital Transit Company between Washington and Gaithersburg, Olney, Burtonsville, and Laurel, Md., and intermediate points. That company also operates busses between Washington and Mount Vernon, Va., except during the winter months. It contends that the Washington commercial zone extends to all of the points included in those operations.

Department stores in Washington regularly deliver goods purchased from them to points within 20 miles without additional charge. A map prepared for use in measuring the circulation of Washington newspapers shows the Washington suburban area as including Montgomery, Prince Georges, and Charles Counties, Md., and Loudoun, Arlington, Fairfax, and Prince William Counties, Va. Retail deliveries of coal are made by motor vehicle from northeast Washington to consumers in Beltsville and Marlboro, Md., and Alexandria and Falls Church, Va. Ready-mixed concrete is transported by motor vehicle from Washington to points as distant as Fairfax.

The Washington commercial zone extends only to those areas which are adjacent to and commercially a part of Washington and contiguous municipalities. In determining the limits of the commercial zone herein, we shall adhere to the principles enunciated in our supplemental report in *New York, N. Y. Commercial Zone*, 2 M. C. C. 191. Gaithersburg, Olney, Rockville, Laurel, Bowie, and Marlboro, Md., and Fairfax, Falls Church, and Mount Vernon, Va., are not sufficiently adjacent to Washington to be considered within the Washington commercial zone for the purpose of applying the exemption in section 203 (b) (8).

The State Corporation Commission of Virginia takes the position that the public interest requires the removal of the exemption to the extent that it affects transportation by motor vehicle between Washington and points in Virginia. A somewhat similar position is taken by the District of Columbia Trucking Association, Inc., which contends that all transportation by motor vehicle for hire from and to Washington should be subject to regulation under all provisions of the act, and that the District of Columbia boundary line should be designated as the limits of the Washington commercial zone. It is clear that the Washington commercial zone extends beyond the limits of the District of Columbia, and that transportation by motor vehicle between Washington and those areas in Maryland and Virginia within the commercial zone is exempt from regulation under section 203 (b) (8) unless and to the extent that the application of the act is found to be necessary to carry out the policy of Congress set forth in section 202. It has not been shown that the removal of the exemption is necessary to carry out this policy.

We find that the zone adjacent to and commercially a part of Washington and contiguous municipalities, in which transportation by motor vehicle in interstate or foreign commerce, not under a common control, management, or arrangement for a continuous carriage or shipment to or from a point beyond the zone, is partially exempt under section 203 (b) (8) from regulation, is as follows:

District of Columbia.

Garrett Park, Md.

Kensington, Md.

That part of Montgomery County, Md., east of a line extending northward from the Potomac River to the intersection of Conduit Road and Seven Locks Road, and thence northward along Seven Locks Road to the intersection with Weaver Road; and south of a line extending eastward along Weaver Road from the intersection with Seven Locks Road to Orndorf Mill Road, thence eastward along Orndorf Mill Road to Old Georgetown Road, thence southeastward along

¹ Section 203. (b) * * * nor, unless and to the extent that the Commission shall from time to time find that such application is necessary to carry out the policy of Congress enunciated in section 202, shall the provisions of this part, except the provisions of section 204 relative to qualifications and maximum hours of service of employees and safety of operations or standards of equipment apply to: (8) The transportation of passengers or property in interstate or foreign commerce wholly within a municipality or between contiguous municipalities or within a zone adjacent to and commercially a part of any such municipality or municipalities, except when such transportation is under a common control, management, or arrangement for a continuous carriage or shipment to or from a point without such municipality, municipalities, or zone, and provided that the motor carrier engaged in such transportation of passengers over regular or irregular route or routes is also lawfully engaged in the intrastate transportation of passengers over the entire length of such interstate route or routes in accordance with the laws of each State having jurisdiction; * * *

Old Georgetown Road to Grosvenor Lane, thence eastward along Grosvenor Lane to U. S. Highway 240, thence northward along U. S. Highway 240 to Garrett Park Road, thence southeastward along Garrett Park Road to Wheaton Road, thence northeastward along Wheaton Road to Old Bladensburg Road, thence southeastward along Old Bladensburg Road to the Montgomery County-Prince Georges County line.

Chillum, Riverdale, Hyattsville, Bladensburg, Seat Pleasant, and Spaulding Districts, Prince Georges County, Md.

Alexandria, Va.

Arlington County, Va.

An order giving effect to these findings will be entered.

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 26th day of October, A. D. 1937.

[Ex Parte No. MC 7]

WASHINGTON, D. C., COMMERCIAL ZONE

Investigation of the matters and things involved in this proceeding having been made, and said division, on the date hereof, having made and filed a report herein containing its findings of fact and conclusions thereon, which report is hereby made a part hereof:

It is ordered, That for the purpose of administration and enforcement of the Motor Carrier Act, 1935, the zone adjacent to and commercially a part of Washington, D. C., and contiguous municipalities in which transportation by motor vehicle in interstate or foreign commerce, not under a common control, management, or arrangement for a continuous carriage or shipment to or from a point beyond the zone, will be partially exempt under section 203 (b) (8) of the act from regulation be, and it is hereby, defined to include the following:

District of Columbia.

Garrett Park, Md.

Kensington, Md.

That part of Montgomery County, Md., east of a line extending northward from the Potomac River to the intersection of Conduit Road and Seven Locks Road, and thence northward along Seven Locks Road to the intersection with Weaver Road; and south of a line extending eastward along Weaver Road from the intersection with Seven Locks Road to Orndorf Mill Road, thence eastward along Orndorf Mill Road to Old Georgetown Road, thence southeastward along Old Georgetown Road to Grosvenor Lane, thence eastward along Grosvenor Lane to U. S. Highway 240, thence northward along U. S. Highway 240 to Garrett Park Road, thence southeastward along Garrett Park Road to Wheaton Road, thence northeastward along Wheaton Road to Old Bladensburg Road, thence southeastward along Old Bladensburg Road to the Montgomery County-Prince Georges County line.

Chillum, Riverdale, Hyattsville, Bladensburg, Seat Pleasant, and Spaulding Districts, Prince Georges County, Md.

Alexandria, Va.

Arlington County, Va.

It is further ordered, That this order shall become effective 30 days from the date hereof and shall continue in effect until the further order of the Commission.

By the Commission, division 5.

[SEAL]

W. P. BARTEL, *Secretary*.

[F. R. Doc. 37-3229; Filed, November 4, 1937; 12:25 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At the regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 3rd day of November, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF PRODUCING LAND-OWNERS' ROYALTY INTERESTS IN THE SHELL-L. F. WHIPPLE TRACT, FILED ON AUGUST 30, 1937, BY J. W. SAIN, RESPONDENT

ORDER CONSENTING TO WITHDRAWAL OF OFFERING SHEET AND TERMINATING PROCEEDING

The Securities and Exchange Commission, having received from respondent an application for an order consenting to withdrawal of the offering sheet described in the title hereof, and respondent having represented to the Commission in writing that none of the securities described in said offering sheet have been sold, and it appearing in view of such representation that withdrawal of said offering sheet is not inconsistent with the public interest,

It is ordered, That consent of the Commission to withdrawal of such offering sheet be, and hereby is, granted, but the Commission does not consent to removal of said offering sheet or any papers relating thereto from the files of the Commission, and

It is further ordered, That the Order for Hearing and Order Designating Trial Examiner heretofore entered in this proceeding¹ be, and hereby is, revoked, and said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-3235; Filed, November 4, 1937; 12:49 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 3rd day of November, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF PRODUCING LAND-OWNERS' ROYALTY INTERESTS IN THE SHELL-V. P. LEE TRACT, FILED ON AUGUST 30, 1937, BY J. W. SAIN, RESPONDENT

ORDER CONSENTING TO WITHDRAWAL OF OFFERING SHEET AND TERMINATING PROCEEDING

The Securities and Exchange Commission, having received from respondent an application for an order consenting to withdrawal of the offering sheet described in the title hereof, and respondent having represented to the Commission in writing that none of the securities described in said offering sheet have been sold, and it appearing in view of such representation that withdrawal of said offering sheet is not inconsistent with the public interest,

It is ordered, That consent of the Commission to withdrawal of such offering sheet be, and hereby is, granted, but the Commission does not consent to removal of said offering sheet or any papers relating thereto from the files of the Commission, and

It is further ordered, That the Order for Hearing and Order Designating Trial Examiner heretofore entered in this proceeding¹ be, and hereby is, revoked, and said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-3233; Filed, November 4, 1937; 12:49 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 3rd day of November, A. D., 1937.

¹ 2 F. R. 2705 (DI).

[File No. 43-84]

IN THE MATTER OF COPPER DISTRICT POWER COMPANY

[File No. 46-76]

IN THE MATTER OF THE MIDDLE WEST CORPORATION

ORDER FIXING DATE FOR DECLARATION TO BECOME EFFECTIVE PURSUANT TO SECTION 7 AND GRANTING EXEMPTION OF ACQUISITION OF SECURITIES BY A HOLDING COMPANY PURSUANT TO SECTION 9 (C) (3) OF PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

Copper District Power Company, a subsidiary of The Middle West Corporation, a registered holding company, having duly filed with this Commission a declaration, and amendments thereto, pursuant to Section 7 of the Public Utility Holding Company Act of 1935, regarding the issue and sale by it of not to exceed \$225,000 principal amount of unsecured notes, each to be dated upon the respective dates of the advance of funds thereon and to mature within nine months from the date of issue, not to exceed \$125,000 principal amount of which are to bear interest at the rate of 3½ per cent per annum, and not to exceed \$100,000 of which are to bear interest at the rate of 4½ per cent per annum and be subordinated to the aforementioned 3½ per cent notes;

The Middle West Corporation having duly filed with this Commission an application, and amendment thereto, pursuant to Section 9 (c) (3) of said Act, for an order exempting from the provisions of Section 9 (a) thereof the acquisition by said applicant of not to exceed \$50,000 principal amount of such 4½ per cent notes;

A joint hearing on said amended declaration and said amended application having been held after appropriate notice¹; the record in these matters having been examined; and the Commission having made and filed its findings herein:

It is ordered, That said declaration, as amended, be and become effective on November 3, 1937, on condition that none of such notes be issued or sold by declarant after April 30, 1938, or such later date as the Commission may hereafter fix, and on the further condition that such notes be issued and sold in accordance with the terms and conditions of, and for the purposes represented by, said declaration, as amended; and

It is further ordered, That, within ten days after the issue and sale of any of such notes, the declarant shall file with this Commission a Certificate of Notification, showing that such issue and sale have been effected in accordance with the conditions of this order and incorporating a true copy of the notes with respect to which the certificate is filed; and

It is further ordered, That the acquisition by applicant, The Middle West Corporation, of not to exceed \$50,000 principal amount of such 4½ per cent notes, in accordance with the terms and conditions of said amended application, be and the same hereby is exempted from the provisions of Section 9 (a) of said Act.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-3231; Filed, November 4, 1937; 12:49 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 3rd day of November, A. D., 1937.

¹ 2 F. R. 2589, 2795 (DI).

IN THE MATTER OF AN OFFERING SHEET OF PRODUCING LANDOWNERS' ROYALTY INTERESTS IN THE BRITISH-AMERICAN-M. L. THOMPSON TRACT, FILED ON SEPTEMBER 17, 1937, BY T. S. HOSE, RESPONDENT

ORDER TERMINATING EFFECTIVENESS OF OFFERING SHEET AND TERMINATING PROCEEDING

The Securities and Exchange Commission, having received from the person who filed the offering sheet described in the title hereof, an application for an order terminating the effectiveness of the filing of same, together with an affidavit that all persons on whose behalf said offering sheet has been filed, to whom copies thereof have been delivered, have been notified in writing of the intention of such person to terminate the effectiveness of said offering sheet, and it appearing that termination of the effectiveness of the filing of said offering sheet, as requested, is not inconsistent with the public interest,

It is ordered, Pursuant to Rule 356 in Regulation B of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, terminated as of the date of the entry of this order.

It is further ordered, That the Order for Hearing and Order Designating Trial Examiner heretofore entered in this proceeding¹ be, and hereby is, revoked, and said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-3234; Filed, November 4, 1937; 12:49 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 2nd day of November, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF PRODUCING LANDOWNERS' ROYALTY INTERESTS IN THE GENERAL CRUDE OIL CO.-GRAVES TRACT, FILED ON SEPTEMBER 29, 1937, BY T. S. HOSE, RESPONDENT

ORDER TERMINATING EFFECTIVENESS OF OFFERING SHEET AND TERMINATING PROCEEDING

The Securities and Exchange Commission, having received from the person who filed the offering sheet described in the title hereof, an application for an order terminating the effectiveness of the filing of same, together with an affidavit that all persons on whose behalf said offering sheet has been filed, to whom copies thereof have been delivered, have been notified in writing of the intention of such person to terminate the effectiveness of said offering sheet, and it appearing that termination of the effectiveness of the filing of said offering sheet, as requested, is not inconsistent with the public interest.

It is ordered, Pursuant to Rule 356 in Regulation B of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, terminated as of the date of the entry of this order.

It is further ordered, That the Order for Hearing and Order Designating Trial Examiner heretofore entered in this proceeding² be, and hereby is, revoked, and said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-3232; Filed, November 4, 1937; 12:49 p. m.]

¹ 2 F. R. 2704 (DI).

² 2 F. R. 2698 (DI).